



DECISION ON ADMISSIBILITY

CASE No. CH/00/6604

Zvonimir LUČIĆ

against

THE FEDERATION OF BOSNIA AND HERZEGOVINA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the Second Panel on 3 July 2001 with the following members present:

Mr. Giovanni GRASSO, President
Mr. Viktor MASENKO-MAVI, Vice-President
Mr. Jakob MÖLLER
Mr. Mehmed DEKOVIĆ
Mr. Manfred NOWAK
Mr. Vitomir POPOVIĆ
Mr. Mato TADIĆ

Mr. Peter KEMPEES, Registrar
Ms. Olga KAPIĆ, Deputy Registrar

Having considered the aforementioned application introduced pursuant to Article VIII(1) of the Human Rights Agreement (“the Agreement”) set out in Annex 6 to the General Framework Agreement for Peace in Bosnia and Herzegovina;

Adopts the following decision pursuant to Article VIII(2)(a) of the Agreement and Rules 49(2) and 52 of the Chamber’s Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 13 December 2000. On 6 February 2001 the applicant requested that the Chamber order the respondent Party, as a provisional measure, to take all necessary action to pay him salary that he claimed was owed to him. The Chamber rejected this request on 7 May 2001.

2. The applicant complains that his employment status has been illegally terminated and that he has not received salaries which he earned. The applicant considers that there have been violations of his right to a fair hearing under Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and his right to property under Article 1 of Protocol 1 to the Convention. He also considers that during the court proceedings in Livno (Canton 10), he was subject to discrimination as a Croat who is not originally from Canton 10 in violation of Article 14 of the Convention taken together with Article 6.

II. OPINION OF THE CHAMBER

3. The Chamber notes that the subject matter of the dispute has been decided upon by the courts of the Federation of Bosnia and Herzegovina, culminating in the decision of the Supreme Court of 17 August 2000. The Chamber points out that the applicant did not submit any plausible evidence to substantiate his allegations of unfairness during his proceedings or discrimination on the grounds of his origin. Thus, the Chamber finds that the application does not disclose any appearance of a violation of the rights and freedoms guaranteed under the Agreement. It follows that the application may be rejected as manifestly ill-founded, in accordance with Article VIII(2)(c) of the Agreement.

III. CONCLUSION

4. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Giovanni GRASSO
President of the Second Panel